

Effective 5/13/2014

53-11-104 Board.

- (1)
 - (a) There is established under the Department of Public Safety a Bail Bond Recovery Licensure Board consisting of five members appointed by the commissioner.
 - (b) The commissioner may appoint, in accordance with this section, persons who are also serving in the same capacity on the Private Investigator Hearing and Licensure Board under Section 53-9-104.
- (2) Each member of the board shall be a citizen of the United States and a resident of this state at the time of appointment:
 - (a) one member shall be a person who is qualified for and is licensed under this chapter;
 - (b) one member shall be a an attorney licensed to practice in the state;
 - (c) one member shall be a chief of police or sheriff;
 - (d) one member shall be an owner of a bail bond surety company; and
 - (e) one member shall be a public member who:
 - (i) does not have a financial interest in a bail bond surety or bail bond recovery business; and
 - (ii) does not have an immediate family member or a household member, or a personal or professional acquaintance who is licensed or registered under this chapter.
- (3)
 - (a) As terms of current board members expire, the commissioner shall appoint each new member or reappointed member to a four-year term, except as required by Subsection (3)(b).
 - (b) The commissioner shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
- (4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- (5) At its first meeting every year, the board shall elect a chair and vice chair from its membership.
- (6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (7) A member may not serve more than one term, except that a member appointed to fill a vacancy or appointed for an initial term of less than four years under Subsection (3) may be reappointed for one additional full term.
- (8) The commissioner, after a board hearing and recommendation, may remove any member of the board for misconduct, incompetency, or neglect of duty.
- (9) Members of the board are immune from suit with respect to all acts done and actions taken in good faith in carrying out the purposes of this chapter.

Amended by Chapter 134, 2014 General Session